

### **REMARKS**

The Applicant thanks the Examiner for the careful consideration of this application. Claims 1-20 are currently pending. Claims 1, 3-6, 12, 13, 15, and 16 have been amended. Claims 14, 15, and 17-19 were previously withdrawn in response to a restriction requirement. Based on the foregoing amendments and the following remarks, the Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

#### **Priority – Second Request**

The Office Action dated March 4, 2010 acknowledged Applicant's claim of priority to TO 2002A000876, but noted that a certified copy had not been filed in the present application. Applicant submitted a copy of the PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document) issued in the parent international application to the U.S. Patent and Trademark Office on July 6, 2010. However, the Office still has not acknowledged receipt of the certified copy. Accordingly, the Applicant requests that the Office acknowledge receipt of the certified copy in its next communication to Applicant.

#### **Rejections under 35 U.S.C. § 112**

The Office Action rejected claims 1 and 4 under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Office Action asserted that claim 1 lacked antecedent basis for "said support plate" and that claim 4 lacked antecedent basis for "said plate." Claims 1 and 4 have been amended to replace the aforementioned recitations with "said base plate." Claim 5 has also

been amended to replace “said plate” with “said base plate.” Accordingly, the Applicant requests that the Section 112, second paragraph rejections be withdrawn.

Rejections under 35 U.S.C. § 102

The Office Action rejects claims 1-4, 6-11, 13, and 20 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,439,908 to Silverbrook (“Silverbrook”). The Applicant traverses this rejection. Nevertheless, solely to further prosecution, claims 1 and 13 have been amended. The Applicant submits that claims 1 and 13 are patentable over Silverbrook for at least the following reasons.

*First*, Silverbrook does not disclose “nozzles located on a first side of the ejection modules [and] a support common to the ejection modules and located on a second side of the ejection modules,” as recited by claim 1. The Office Action apparently aligns the modules 12 of Silverbrook’s FIG. 2 with the claimed “ejection modules.” In addition, the Office Action apparently aligns the ink nozzles 42 and reservoir molding 32 of Silverbrook’s FIG. 3 with the claimed “nozzles” and “support,” respectively. However, Silverbrook’s ink nozzles 42 are not located on a first side of the modules 12, with the reservoir molding 32 located on a second side of the modules 12, as claimed. Rather, the ink nozzles 42 and reservoir molding 32 are both located on the *same side* of Silverbrook’s modules 12, as shown in FIGS. 2 and 3. Accordingly, Silverbrook does not disclose “nozzles located on a first side of the ejection modules [and] a support common to the ejection modules and located on a second side of the ejection modules,” as recited by claim 1.

**Second**, Silverbrook does not disclose “ejection nozzles . . . aligned . . . along the axis at the constant pitch,” as recited by claim 1. As stated above, the Office Action aligns the ink nozzles 42 of Silverbrook’s FIG. 3 with the claimed “ejection nozzles.” In addition, the Office Action apparently aligns the longitudinal axis of the reservoir molding 32 with the claimed “axis.” However, the ink nozzles 42 are not aligned along the longitudinal axis of the reservoir molding 32 at a **constant pitch**, as claimed. Rather, the ink nozzles 42 are organized in groups of four nozzles that are located close together, and the groups in turn are located far apart from one another. Considered as a whole, the nozzles 42 have a varying pitch along the longitudinal axis of the reservoir molding 32. Accordingly, Silverbrook does not disclose “ejection nozzles . . . aligned . . . along the axis at the constant pitch,” as recited by claim 1.

Claim 1 is patentable over Silverbrook for at least the foregoing reasons. Independent claim 13 includes similar features to claim 1, and is patentable over Silverbrook for at least the same reasons. Claims 2-4, 6-11, and 20 depend variously from claim 1, and are patentable for at least the same reasons.

#### Rejections under 35 U.S.C. § 103

(1) The Office Action rejects claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Silverbrook in view of U.S. Patent No. 6,039,441 to Tomikawa (“Tomikawa”). Claim 5 depends from claim 1, which, as demonstrated above, is patentable over Silverbrook. Tomikawa does not remedy the deficiencies of Silverbrook. Accordingly, claim 5 is patentable over Silverbrook in view of Tomikawa.

(2) The Office Action rejects claims 12 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Silverbrook in view of U.S. Patent No. 6,142,604 to Kanda (“Kanda”). Claim 12 depends from claim 1, which, as demonstrated above, is patentable over Silverbrook. Kanda does not remedy the deficiencies of Silverbrook. Accordingly, claim 12 is patentable over Silverbrook in view of Kanda.

#### Claim 16

Claim 16 is an independent claim, and has been amended solely to further prosecution. The Applicant submits that claim 16 is patentable over Silverbrook in view of Kanda for at least the following reasons.

*First*, no reasonable combination of Silverbrook and Kanda discloses or renders obvious “ejection nozzles located on a first side of the ejectors [and] a plate located on a second side of the ejectors” as recited by claim 16. The Office Action apparently aligns the modules 12 of Silverbrook’s FIG. 2 with the claimed “ejectors.” In addition, the Office Action apparently aligns the ink nozzles 42 and reservoir molding 32 of Silverbrook’s FIG. 3 with the claimed “ejection nozzles” and “plate,” respectively. However, Silverbrook’s ink nozzles 42 are not located on a first side of the modules 12, with the reservoir molding 32 located on a second side of the modules 12, as claimed. Rather, the ink nozzles 42 and reservoir molding 32 are both located on the *same side* of Silverbrook’s modules 12, as shown in FIGS. 2 and 3. Kanda does not remedy the deficiencies of Silverbrook. Accordingly, no reasonable combination of Silverbrook and Kanda discloses or

renders obvious “ejection nozzles located on a first side of the ejectors [and] a plate located on a second side of the ejectors” as recited by claim 16.

**Second**, no reasonable combination of Silverbrook and Kanda discloses or renders obvious “ejection nozzles . . . aligned . . . along an axis at a constant pitch,” as recited by claim 16. The Office Action aligns the ink nozzles 42 of Silverbrook’s FIG. 3 with the claimed “ejection nozzles.” In addition, the Office Action apparently aligns the longitudinal axis of the reservoir molding 32 with the claimed “axis.” However, the ink nozzles 42 are not aligned along the longitudinal axis of the reservoir molding 32 at a ***constant pitch***, as claimed. Rather, the ink nozzles 42 are organized in groups of four nozzles that are located close together, and the groups in turn are located far apart from one another. Considered as a whole, the nozzles 42 have a varying pitch along the longitudinal axis of the reservoir molding 32. Kanda does not remedy the deficiencies of Silverbrook. Accordingly, no reasonable combination of Silverbrook and Kanda discloses or renders obvious “ejection nozzles . . . aligned . . . along an axis at a constant pitch,” as recited by claim 16.

In view of the foregoing, the Applicant submits that claim 16 is patentable over Silverbrook in view of Kanda.

### **Conclusion**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant, therefore, respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and

complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

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Respectfully submitted,

By /Steven J. Schwarz/

Steven J. Schwarz

Registration No.: 47,070

VENABLE LLP

P.O. Box 34385

Washington, DC 20043-9998

(202) 344-4000

(202) 344-8300 (Fax)

Attorney/Agent For Applicant

#1152296